

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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HARBOR BUSINESS COMPLIANCE CORP.,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:23-cv-00802
	:	
FIRSTBASE.IO, INC.,	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 26<sup>th</sup> day of April, 2023, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT**:

1. The Motions to Dismiss, ECF Nos. 18 and 22, are **GRANTED in part and DENIED in part** as follows:

A. The request to dismiss Counts III, IV, and the first Count V<sup>1</sup> (Common Law Unfair Competition) is **DENIED**.

B. The request to dismiss the second Count V (Unjust Enrichment) is **GRANTED**.

C. The second Count V (Unjust Enrichment) is **DISMISSED with prejudice**.

2. **Within fourteen days of the date of this Order**, Defendant shall file an answer to the remaining counts of the Complaint. *See* Fed. R. Civ. P. 12(a)(4)(A).

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge

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<sup>1</sup> The Complaint includes two counts labeled “Count V.” The first Count V begins on page 47 of the Complaint and is for “Common Law Unfair Competition.” The second Count V begins on page 49 of the Complaint and is for “Unjust Enrichment.” The Opinion refers to the second Count V as Count VI.